

CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
BOARD OF ELECTRICAL EXAMINERS

TELEPHONE: (302) 744-4500
FAX: (302) 739-2711
WEBSITE: DPR.DELAWARE.GOV
EMAIL: customerservice.dpr@state.de.us



PUBLIC MEETING MINUTES:	Board of Electrical Examiners
MEETING DATE AND TIME:	Wednesday, October 1, 2014 at 8:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A, Cannon Building
MINUTES APPROVED: November 5, 2014	

MEMBERS PRESENT

Daniel Creedon, President, Professional Member
Bobby Murrian, Vice-President, Professional Member
Michael Travers, Continued Education, Professional Member
Robert MacLennan, Professional Member
Frank Beebe, Public Member
Thomas Hartley, Complaint Officer, Professional Member
Nathan Schreppler, Board Secretary, Public Member
Richard Millar, Public Member

ABSENT

William Poore, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Kevin Maloney, Deputy Attorney General
Maggie Strauss, Administrative Specialist II
Gayle MacAfee, Deputy Director

OTHERS PRESENT

Jeffrey Morris
Conrith Shaw
Gary Luff

CALL TO ORDER

Mr. Creedon called the meeting to order at 9:03am.

**Mr. Creedon made a motion, second by Mr. Murrian, to announce the amended agenda to reflect the addition of 4.1.8, 4.2, 4.7.4 and 4.10.2. The amended agenda was not posted on the Public Meeting Calendar, but was provided to the Board and all attendees. The motion carried unanimously.

REVIEW OF MINUTES

A motion was made by Mr. Hartley, second by Mr. MacLennan, to approve the meeting minutes from September 3, 2014. The motion carried unanimously.

UNFINISHED BUSINESS

Proposal to Deny Hearing of Jeffrey L. Morris

Mr. Maloney called the hearing to order at 9:05a and stated that today's hearing was a result of the Board's proposal to deny the Journeyman application of Jeffrey Morris.

The Board members were introduced. Mr. Maloney explained that the Board proposed to deny the application because Mr. Morris had prior convictions related to the profession of electrical services under 17.1.2 of the Rules and Regulations. Mr. Maloney marked as Board Exhibit #1 the application, supporting documents and correspondence related to today's hearing; and a letter of character reference submitted by Mr. Morris as respondent's exhibit #1. Mr. Morris was sworn in.

Mr. Morris began his testimony by stating he began his career in the electrical trade well after his conviction and that he has worked very hard to get this far. Mr. MacLennan asked for an explanation of the charge, to which Mr. Morris responded that he was 18 at the time, and an argument with a friend escalated and resulted in the conviction in question.

The Board went into deliberations at 9:16a. They reviewed the letter submitted by Mr. Morris and felt that he provided adequate information from this reference, but requested a certified copy be submitted. The Board also requested Mr. Morris supply them with the deficient hours required to take the exam. After considering testimony at today's hearing, they felt Mr. Morris was entitled to have a license considering the length of time that has passed since his conviction.

A motion was made by Mr. MacLennan, second by Mr. Murrian to approve Mr. Morris' to take the Journeyman exam contingent upon receipt of the notarized letter and proof of 8000 hours of experience. The motion carried unanimously.

Mr. Maloney confirmed that Mr. Morris understood the Board's request, to which he indicated yes. Mr. Morris then thanked the Board for their time and consideration. The hearing went off record and adjourned at 09:18a. Verbatim testimony is available via audio recording.

Proposal to Deny Hearing of Conrith A. Shaw

Mr. Maloney called the hearing to order at 9:19a and stated that today's hearing was a result of the Board's proposal to deny the Apprentice application of Conrith Shaw.

The Board members were introduced. Mr. Maloney explained that the Board proposed to deny the application because Mr. Shaw had prior convictions related to the profession of electrical services under 17.2 and 17.1.48 of the Rules and Regulations. Mr. Maloney marked as Board Exhibit #1 the application, correspondence and supporting documents related to today's hearing; and old paystubs submitted by Mr. Shaw as respondent's exhibit #1. Mr. Shaw was sworn in.

Mr. Shaw testified that he was indeed convicted in 2006 of the crime, but felt he was entitled to a license in DE based on the completion of his sentencing and the length of time that has passed since his crime. Mr. Shaw further stated that he was advised by his legal counsel to take the deal he was offered. After the completion of his sentence, he made new living arrangements, got a job and a car, and has not been in any trouble since then. He has since become a father and maintained a job in MD to “support them and show them the right way”.

The Board went into deliberations at 09:34. The members were in agreement that enough time had passed since the conviction, and Mr. Shaw provided adequate testimony to support that decision.

A motion was made by Mr. MacLennan, second by Mr. Murrian to approve the Apprentice application of Mr. Shaw contingent upon proof of enrollment in an approved apprenticeship program. The motion carried unanimously.

Mr. Maloney confirmed that Mr. Shaw understood the Board’s request, to which he indicated yes. Mr. Shaw then thanked the Board for their time and consideration. The hearing went off record and adjourned at 09:36. Verbatim testimony is available via audio recording.

Proposal to Deny Continuation Hearing of Franklin E. Hanna

Mr. Maloney reintroduced the matter of license renewal information to the Board regarding Mr. Hanna. At the September meeting, the possibility that Mr. Hanna had not received proper notice was entertained, and under advisement from Mr. Maloney, the Board voted to table this hearing until October. Mr. Maloney again confirmed that Mr. Hanna was not present at the meeting for his hearing as scheduled, and the hearing was called to order at 09:38.

Ms. Strauss was sworn in to provide testimony surrounding the hearing process leading up to today. She testified that originally an administrative hold was placed on Mr. Hanna’s Journeyman license renewal as a result of his response to the question on the renewal. Mr. Hanna supplied the Division with the requested documentation which was reviewed by the DAG and a hearing notice was sent via certified mail. Mr. Hanna sent a letter requesting to schedule his hearing as soon as possible, waiving his right to 20 days prior notice. Ms. Strauss then drafted and mailed, via certified mail, a letter with the date, time and location of the hearing. Neither the return receipt nor the envelopes have been returned to the Division. Under guidance from the DAG, a second notice with the new hearing date and time was drafted and mailed via certified mail and regular 1st class mail. To date, the return receipt, envelope or the 1st class letter have returned to the Division office.

Mr. Maloney advised the Board that under the “Mailbox Rule” the notices can be considered delivered to the recipient, and that they can make their decision based on the information they have been provided to date.

A motion was made by Mr. MacLennan, second by Mr. Murrian, to deny Mr. Hanna the ability to renew his Journeyman license at this time. The motion carried unanimously.

The hearing went off record and adjourned at 09:44. Verbatim testimony is available via audio recording.

Review & Consideration of Orders

The Board reviewed and signed the final orders of Jeffrey Borrin & William C. Mellon, Jr.

Re-Review of Applications

A motion was made by Mr. MacLennan, second by Mr. Travers to propose to deny the electrician applications of Russell Bowen, Jeffrey Smith and Alvis Mills. The motion carried unanimously.

A motion was made by Mr. MacLennan, second by Mr. Travers to impose a final denial on the electrical applications of Christopher Borsello and Matthew Kondash. The motion carried unanimously.

NEW BUSINESS

Review of Examination Applications

A motion was made by Mr. MacLennan, second by Mr. Beebe to approve the applications of Eric T. Marston, Wayne T. Jester, Theodore J. Parcels, Jr., Karel A. Walters, Jared P. Hanes, James Howe II and Andrew Lenker to sit for the Master Electrician exam. The motion was unanimously carried.

A motion was made by Mr. MacLennan, second by Mr. Beebe to table the application of for proof of experience. The motion carried unanimously.

Review of Reciprocity Applications

A motion was made by Mr. Hartley, second by Mr. Murrian to approve the reciprocal application of Christopher Hogan. The motion carried unanimously.

A motion was made by Mr. Hartley, second by Mr. Murrian to approve contingent the reciprocal application of Adrian Rodriguez, pending receipt of his TX license verification and a notarized letter from his employer. The motion carried unanimously.

Ratification of Applications

A motion was made by Mr. Schreppler, second by Mr. MacLennan to accept the ratification of Apprentice Electrician applications of: Justin F. Dinnsen, Zachariah James Cassell, Jeffrey Michael Borrin, James Andrew Rochester, Cory Nathan Miles, Martin Donato, Richard A. Lee, William J. Pfitzenmeyer, Brian K. Bilbrough, Jr., Michael T. Meeks, David S. Barnard, Dillon C. Stanek, Louis D. Sparco, Jr., Gabriel Philip DeAscanis, Christopher A. Hummel, Adam Thomas Cox and James Edward Sloven. The motion carried unanimously.

A motion was made by Mr. MacLennan, second by Mr. Poore to accept the ratification of Journeyman Electrician applications of: Christopher A. Jackson, Kenneth Webster, Peter Moore Lavery, William C. Lochamy, Michael A. Ayres, Frederick E. Nash and Frank Lombardo. The motion carried unanimously.

A motion was made by Mr. Schreppler, second by Mr. Hartley to accept the ratification of Master Electrician applications of: Frederick L. Hundertmark, Jr., Matthew Lynch, Justin T. Page, Timothy S. Brennan and Erik M. Mahler. The motion carried unanimously.

A motion was made by Mr. Schreppler, second by Mr. MacLennan to accept the ratification of Limited Electrician license of Victor Michael Macy. The motion carried unanimously.

A motion was made by Mr. MacLennan, second by Mr. Schreppler to approve the ratification of Master Electrician Special-Elevator applications of: Roger Cunillera and James Dattilo, Jr. The motion carried unanimously.

Applications for Review – Deputy Attorney General

A motion was made by Mr. MacLennan, second by Mr. Schreppler to propose to deny the Apprentice application of Joseph P. Crumliss for having convictions of crimes substantially related to the electrical profession. The motion carried unanimously.

Complaints Status

01-12-13 - Attorney General
01-17-13 – Assigned
01-23-13 – Attorney General
01-01-14 – Assigned
01-09-14 – Attorney General
01-11-14 – Attorney General
01-14-14 – Closed
01-15-14 – Assigned
01-16-14 – Assigned
01-17-14 – Assigned
01-19-14 – Attorney General
01-20-14 – Attorney General
01-21-14 – Attorney General
01-23-14 – Attorney General
01-24-14 – Assigned
01-25-14 – Assigned
01-26-14 – Attorney General
01-27-14 – Assigned
01-28-14 – Assigned
01-29-14 – Attorney General

Continued Education

A motion was made by Mr. MacLennan, second by Mr. Schreppler, to approve the requested continuing education courses as follows, and the motion carried unanimously:

Electric League of Maryland

Essential Rules of the NEC 2014 – 10 hrs
Arc Flash & Electrical Safety – 5 hrs
Understanding the NEC 2014, Part 2 – 10 hrs

All Star Training, Inc.

2014 NEC Code Changes – 10 hrs

Dan Dudley & Associates

NFPA 70E & Electrical Safety for Electricians – 8 hrs
2014 NEC Review & Update – 16 hrs

Middle Department Inspection Agency

Optional Standby Systems – 5 hrs

Review of Crimes List

Mr. Maloney stated that he would draft a list of proposed crimes for the Board to consider at the next meeting and suggested that the Board members include any crimes they would like to have nominated as well. Mr. Maloney & Ms. Strauss will work together to provide a condensed list for review and consideration at the October meeting.

Proposed Changes to the Licensure Laws

The Board discussed changes to the statute they would like to include in the 2015 Legislative session. Those items included, but were not limited to: § 1419 Exceptions (specifically how it relates to factory trained representatives), § 1409 Reciprocity (setting new reciprocal requirements) and § 1417 Homeowner's Permits (amending the language or striking in its entirety). Ms. MacAfee advised the Board that a professional member should be chosen as a delegate to represent the Board at any legislative session regarding these concerns, and act as a contact in the event someone other than the Board introduces a Bill into the session. She also suggested the Board include why the changes they are proposing are necessary when they make a submission to Legislation.

Miscellaneous Review & Discussion

Mr. Creedon provided the results of the August 2, 2014 Prometric exam.

Ms. Strauss asked the Board for a definitive answer regarding Master Electrician Special – Elevator applicants and licensees. Ms. Strauss will ask for an internal change on applications and renewals. Mr. Maloney suggested adding 6.0 to the list of necessary regulation changes.

CORRESPONDENCE

No written correspondence was received for the Board to review.

Mr. Creedon called for recess at 1022; the meeting reconvened at 1025

OTHER BUSINESS BEFORE THE BOARD

Mr. Hartley discussed with the Board drafting and sending a letter to the State Fire Marshal on behalf of the Board. The Board would like to review the 2014 NEC and 70E prior to announcing their support of the change. Mr. Maloney suggested they watch for announced changes to the Regulations, which will be announced to the public, so that they may attend meetings and/or submit comments. Mr. MacLennan asked that the Board establish contact with the DE State Fire Prevention Commission so that they can be included in any emails announcing proposed changes. Ms. Strauss will contact the DSFPC with the request.

PUBLIC COMMENT

Mr. Luff asked the Board if and when they would be adopting the 2014 NEC, he has been approved to take the Master Electrical exam and wants to be sure he studies the correct code. The Board indicated that DE is still under the 2011 NEC, and will have an announcement posted on the website when it changes.

NEXT SCHEDULED MEETING

The next scheduled meeting will be held on November 5, 2014 at 08:30 Cannon Building 861 Silver Lake Boulevard, Dover, Delaware, Conference Room A, 2nd floor. *It will be the last meeting for calendar year 2014.*

ADJOURNMENT

With no further business before the Board, a motion was made by Mr. Beebe, second by Mr. MacLennan, to adjourn the meeting at 1036. The motion was unanimously carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Maggie Strauss', with a stylized, cursive script.

Maggie Strauss
Administrative Specialist II